

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 08-880-US10)

In re the Application of:)	
)	
David C. Gelvin et al.)	Examiner: Aravind K. Moorthy
)	
Serial No.: 09/684,388)	Confirmation No.: 9801
)	
Filed: October 4, 2000)	Art Unit: 2431
)	
For: Method for Vehicle Internetworks)	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Applicant files this request to give the Office a full opportunity to reconsider the patent term adjustment (PTA) for the above-captioned patent application as Applicant believes in good faith that the current 1426 days of PTA may not correctly account for Applicant Delay for at least the reasons mentioned herein. Applicant believes no fees are due, but authorizes the Office to charge any required fees associated with this request to Deposit Account No. 132490.

On September 1, 2006, the Office mailed a non-final office action with a shortened statutory response interval of 3 months. As no response was filed within the statutory response interval and no extensions of time were granted, the Office later mailed a notice of abandonment on December 26, 2007. Applicant responded on February 1, 2008 with a petition to revive and an office action response. The February 1, 2008 petition to revive was granted on September 9, 2008 and a non-final office action was mailed on December 9, 2008.

Regarding these events, the PTA calculation on PAIR indicates an Office Delay of 191 days from June 1, 2008 to December 9, 2008 in accordance with 37 C.F.R. § 1.703(a)(2). However, the PTA calculation appears not to account for the abandonment of the application.

According to 37 C.F.R. § 1.704(c)(3), the reduction of patent term adjustment should begin on the date of abandonment, which is December 2, 2006 (the date after the statutory response interval). 37 C.F.R. § 1.704(c)(3) also states that the reduction in patent term adjustment should end on the earlier date of: (i) the date of mailing of the decision reviving the

application (that is, September 9, 2008) or (ii) the date four months after the date the grantable petition reviving the application was filed (that is, June 1, 2008). Therefore, the reduction in patent term adjustment should end on the earlier date of June 1, 2008, which is the date four months after the filing of a grantable petition.

Due to the abandonment, Applicant believes Applicant Delay of 547 days of patent term adjustment should accrue for the interval between December 2, 2006 and June 1, 2008. Thus, Applicant believes in good faith that the PTA may need to be decreased by 547 days from 1426 days to **879** days.

Respectfully submitted,

**McDonnell Boehnen
Hulbert & Berghoff LLP**

Date: October 13, 2010

By: /Thomas J. Loos/
Thomas J. Loos
Registration No. 60,161